

Notice of Allowability

Application No.

10/697,149

Examiner

Jason L. Savage

Applicant(s)

BYERS ET AL.

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 8-26-05.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DEBORAH JONES
SUPERVISORY PATENT EXAMINER

Drawings

Applicant indicated in the Amendment filed 8-26-05 that the drawings filed 10-30-03 had not been indicated if they were accepted or objected to in the prior Office Action. The Examiner apologizes for the oversight and to clarify the record, the drawings filed 10-30-03 were intended to have been indicated as being accepted.

Allowance

Claims 1-38 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art teaches component assemblies comprising ceramic parts bonded metal parts using a brazing interlayer alloy material. The prior art of Lasater (US 6,221,513) teaches a hermetically sealed assembly suitable for use in implantable medical devices comprising a ceramic part bonded to a metallic pin **22** through the use of a titanium-nickel alloy interlayer. Lasater further teaches that the metallic pin **22** may be a titanium or copper metal. The prior art of Bealka (US 6,586,675) teaches a hermetically sealed assembly suitable for use in implantable medical devices comprising a ceramic part bonded to a metallic pin **20** through the use of a brazing interlayer. Bealka further teaches the metallic pin **20** can comprise titanium and noble metal as well as other materials. Bealka also teaches that the brazing interlayers suitable for use in the assembly include gold, copper, silver or alloys thereof.

While the prior art does teach assemblies comprising ceramics bonded to noble metals and assemblies comprising titanium-nickel alloy interlayers, the prior art does not teach or suggest forming an assembly comprising a ceramic bonded to a noble metal part wherein the brazing interlayer is a titanium-nickel laminate interlayer. As was recited in specification on page 4, lines 7-15, the use of a titanium-nickel laminate interlayer such as is claimed allows for liquidus formation in the interlayer at a lower temperature than with an alloy of equivalent composition.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason L. Savage whose telephone number is 571-272-1542. The examiner can normally be reached on M-F 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 571-272-1535. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jason Savage
10-11-05


DEBORAH JONES
SUPERVISORY PATENT EXAMINER